



Sen. Bill Brady

**Filed: 5/8/2008**

09500HB5017sam002

LRB095 19601 HLH 50558 a

1 AMENDMENT TO HOUSE BILL 5017

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5017 on page 1, line  
3 5, by replacing "Sections 15.5 and 19.6" with "Sections 12,  
4 15.5, and 19.6"; and

5 on page 1, immediately below line 5, by inserting the  
6 following:

7 "(20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)

8 (Section scheduled to be repealed on August 31, 2008)

9 Sec. 12. Powers and duties of State Board. For purposes of  
10 this Act, the State Board shall exercise the following powers  
11 and duties:

12 (1) Prescribe rules, regulations, standards, criteria,  
13 procedures or reviews which may vary according to the purpose  
14 for which a particular review is being conducted or the type of  
15 project reviewed and which are required to carry out the  
16 provisions and purposes of this Act.

1           (2) Adopt procedures for public notice and hearing on all  
2 proposed rules, regulations, standards, criteria, and plans  
3 required to carry out the provisions of this Act.

4           (3) Prescribe criteria for recognition for areawide health  
5 planning organizations, including, but not limited to,  
6 standards for evaluating the scientific bases for judgments on  
7 need and procedure for making these determinations.

8           (4) Develop criteria and standards for health care  
9 facilities planning, conduct statewide inventories of health  
10 care facilities, maintain an updated inventory on the  
11 Department's web site reflecting the most recent bed and  
12 service changes and updated need determinations when new census  
13 data become available, including data from a special census  
14 conducted for a specific municipality, or new need formulae are  
15 adopted, and develop health care facility plans which shall be  
16 utilized in the review of applications for permit under this  
17 Act. Such health facility plans shall be coordinated by the  
18 Agency with the health care facility plans areawide health  
19 planning organizations and with other pertinent State Plans.  
20 Inventories pursuant to this Section of skilled or intermediate  
21 care facilities licensed under the Nursing Home Care Act or  
22 nursing homes licensed under the Hospital Licensing Act shall  
23 be conducted on an annual basis no later than July 1 of each  
24 year and shall include among the information requested a list  
25 of all services provided by a facility to its residents and to  
26 the community at large and differentiate between active and

1 inactive beds.

2 In developing health care facility plans, the State Board  
3 shall consider, but shall not be limited to, the following:

4 (a) The size, composition and growth of the population  
5 of the area to be served;

6 (b) The number of existing and planned facilities  
7 offering similar programs;

8 (c) The extent of utilization of existing facilities;

9 (d) The availability of facilities which may serve as  
10 alternatives or substitutes;

11 (e) The availability of personnel necessary to the  
12 operation of the facility;

13 (f) Multi-institutional planning and the establishment  
14 of multi-institutional systems where feasible;

15 (g) The financial and economic feasibility of proposed  
16 construction or modification; and

17 (h) In the case of health care facilities established  
18 by a religious body or denomination, the needs of the  
19 members of such religious body or denomination may be  
20 considered to be public need.

21 The health care facility plans which are developed and  
22 adopted in accordance with this Section shall form the basis  
23 for the plan of the State to deal most effectively with  
24 statewide health needs in regard to health care facilities.

25 (5) Coordinate with other state agencies having  
26 responsibilities affecting health care facilities, including

1 those of licensure and cost reporting.

2 (6) Solicit, accept, hold and administer on behalf of the  
3 State any grants or bequests of money, securities or property  
4 for use by the State Board or recognized areawide health  
5 planning organizations in the administration of this Act; and  
6 enter into contracts consistent with the appropriations for  
7 purposes enumerated in this Act.

8 (7) The State Board shall prescribe, in consultation with  
9 the recognized areawide health planning organizations,  
10 procedures for review, standards, and criteria which shall be  
11 utilized to make periodic areawide reviews and determinations  
12 of the appropriateness of any existing health services being  
13 rendered by health care facilities subject to the Act. The  
14 State Board shall consider recommendations of the areawide  
15 health planning organization and the Agency in making its  
16 determinations.

17 (8) Prescribe, in consultation with the recognized  
18 areawide health planning organizations, rules, regulations,  
19 standards, and criteria for the conduct of an expeditious  
20 review of applications for permits for projects of construction  
21 or modification of a health care facility, which projects are  
22 non-substantive in nature. Such rules shall not abridge the  
23 right of areawide health planning organizations to make  
24 recommendations on the classification and approval of  
25 projects, nor shall such rules prevent the conduct of a public  
26 hearing upon the timely request of an interested party. Such

1 reviews shall not exceed 60 days from the date the application  
2 is declared to be complete by the Agency.

3 (9) Prescribe rules, regulations, standards, and criteria  
4 pertaining to the granting of permits for construction and  
5 modifications which are emergent in nature and must be  
6 undertaken immediately to prevent or correct structural  
7 deficiencies or hazardous conditions that may harm or injure  
8 persons using the facility, as defined in the rules and  
9 regulations of the State Board. This procedure is exempt from  
10 public hearing requirements of this Act.

11 (10) Prescribe rules, regulations, standards and criteria  
12 for the conduct of an expeditious review, not exceeding 60  
13 days, of applications for permits for projects to construct or  
14 modify health care facilities which are needed for the care and  
15 treatment of persons who have acquired immunodeficiency  
16 syndrome (AIDS) or related conditions.

17 (Source: P.A. 93-41, eff. 6-27-03; 94-983, eff. 6-30-06.)".